

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FERGUSON ENTERPRISES, INC. OF VIRGINIA,	)	
Appellant,	)	
	)	
v.	)	No. 5:09-cv-00426-H
	)	
HARRELSON UTILITIES, INC.,	)	
Appellee.	)	
	)	
FERGUSON ENTERPRISES, INC. OF VIRGINIA,	)	
Appellant,	)	
	)	
v.	)	No. 5:10-cv-00316-H
	)	
MAMMOTH GRADING, INC., Debtor	)	
Appellee.	)	
	)	
FORTRESS FENCING, LLC,	)	
Appellant,	)	
	)	
v.	)	No. 5:10-cv-00317-H
	)	
MAMMOTH GRADING, INC., Debtor	)	
Appellee.	)	
	)	
GENERAL CONCRETE CONSTRUCTION, INC.,	)	
Appellant,	)	
	)	
v.	)	No. 5:10-cv-00320-H
	)	
MAMMOTH GRADING, INC., Debtor	)	
Appellee.	)	
	)	
HANSON AGGREGATES SOUTHEAST, LLC, et al.,	)	
Appellants,	)	
	)	
v.	)	No. 5:10-cv-00322-H
	)	
MAMMOTH GRADING, INC., Debtor	)	
Appellee.	)	
	)	
SITESCAPES, LLC,	)	
Appellant,	)	
	)	
v.	)	No. 5:10-cv-00323-H
	)	
MAMMOTH GRADING, INC., Debtor	)	
Appellee.	)	
	)	

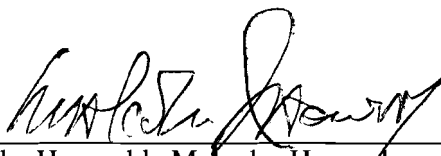
**ORDER CONSOLIDATING APPEALS  
and SETTING BRIEFING SCHEDULE**

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This cause being heard by the undersigned United States District Court Judge on the Motion of Appellants Ferguson Enterprises, Inc. of Virginia, Fortress Fencing, LLC, General Concrete Construction, Inc., Hanson Aggregates Southeast, LLC, Carolina Sunrock, LLC, and Sitescapes, LLC, to consolidate the six above captioned appeals, and to enter an order setting a briefing schedule in the consolidated appeal, and it appearing to the Court that the Motion should be allowed for good cause shown.

IT IS THEREFORE HEREBY ORDERED AND DECREED that the above captioned six appeals are consolidated under Case No. 5:10-cv-00316-H, and the Clerk is ordered to deem all papers filed in each of the above captioned actions to have also been filed in Case No. 5:10-cv-00316-H, and the parties are ordered to file all subsequent documents in Case No. 5:10-cv-00316-H. It is further ORDERED that the Appellants' Briefs shall be filed and served by September 23, 2010; that the Appellees' Briefs shall be filed and served by October 28, 2010; and that Reply Briefs, if any, shall be filed and served by November 11, 2010.

DATED: 8/25/10

  
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The Honorable Malcolm Howard  
United States District Court  
Eastern District of North Carolina